IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO.706 OF 2005

IN

SUIT NO.2555 OF 2005

...

Shivam Steels & Tubes Pvt.Ltd. ...Plaintiffs

v/s.

Nav Bharat Industries & Ors. ...Defendants

...

Mr.C.M.G.Shastry for the Plaintiffs.

Mr.V.T.Lulia for Defendants Nos.1, 3 to 5.

...

**CORAM: D.K.DESHMUKH, J.**

**DATED:** 19TH JUNE, 2006

**P.C.:**

By consent of parties, summons for judgment is disposed of in following terms:

(i) In case the Defendant deposits in this court an amount of Rs.90,000/- within a period of eight weeks from today, the amount shall be deposited int he fixed deposit by the Prothonotary & Sr.Master in any nationalised bank during the pendency of the suit and the summons for judgment shall stand disposed of with leave to the defendant to defend the suit.

(ii) In that event, Defendant to file his written statement within a period of six weeks from the date of deposit.

(iii) In case the amount is not so deposited within the aforesaid time, the summons for judgment shall stand granted and the suit shall stand decreed in terms of prayer clause of the suit and the Plaintiff is entitled to refund of court fees as per rules.

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